

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

John R. Wood,)	C/A No. 0:12-cv-3532-DCN-PJG
)	
Petitioner,)	
)	
v.)	ORDER
)	(DEATH PENALTY CASE)
)	
William R. Byars, Jr. , Commissioner, South)	
Carolina Department of Corrections;)	
Wayne C. McCabe, Warden, Lieber)	
Correctional Institution,)	
)	
Respondents.)	
)	

By Order filed October 23, 2013, this action was stayed pending the outcome of Petitioner's state post-conviction relief action. (See ECF No. 93.) At that time, Petitioner was directed to inform the court within five (5) days of the state PCR court's ruling in order for this court to address the status of the stay. Id.

On July 22, 2016, Respondents filed a status report advising this court that the state PCR court had granted Respondents' motion for summary judgment in the pending PCR action. (ECF No. 109.) Respondents attached a copy of the order dismissing the PCR action to the status report. (ECF No. 109-1.)

Thereafter, on July 26, 2016, Petitioner submitted a status report indicating that he intends to file a motion to alter or amend the judgment once the order is filed.¹ (ECF No. 110.) Petitioner

¹ The docket for Petitioner's pending PCR action (2013-CP-23-5190), which can be found on the 13th Circuit Judicial Circuit Public Index, shows that an order granting Respondents' motion for summary judgment and dismissing the PCR action was filed with the court on July 25, 2016.

further indicated in his status report that he will file an appeal should his motion to alter or amend be denied. (ECF No. 110.)

In light of the continuing proceedings in Petitioner's state PCR action, it is hereby

ORDERED that the stay of the instant habeas action be continued. The parties are directed to inform this court within five (5) days of the conclusion of the PCR action in state court. The parties should also continue to submit status reports to the court every ninety (90) days.

IT IS SO ORDERED.


Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE

July 27, 2016
Columbia, South Carolina